

CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Cassandra Luxama	Team: Team # 5	CCRB Case #: 201007089	<input checked="" type="checkbox"/> Force	<input checked="" type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input checked="" type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input type="checkbox"/> Injury
Incident Date(s) Thursday, 05/20/2010 4:40 PM	Location of Incident: § 87(2)(b)	Precinct: 77	18 Mo. SOL 11/20/2011	EO SOL 11/20/2011	
Date/Time CV Reported Wed, 05/26/2010 9:38 AM	CV Reported At: CCRB	How CV Reported: Phone	Date/Time Received at CCRB Wed, 05/26/2010 9:38 AM		

Complainant/Victim	Type	Home Address
§ 87(2)(b)	§ 87(2)(b)	§ 87(2)(b)
§ 87(2)(b)	§ 87(2)(b)	§ 87(2)(b)

Witness(es)	Home Address
§ 87(2)(b)	§ 87(2)(b)

Subject Officer(s)	Shield	TaxID	Command
1. SGT Kurt Trotman	05585	899928	077 PCT
2. POM Edwin Espinal	09609	934831	077 PCT

Officer(s)	Allegation	Investigator Recommendation
A.SGT Kurt Trotman	Abuse: Sgt. Kurt Trotman questioned § 87(2)(b)	§ 87(2)(b)
B.POM Edwin Espinal	Discourtesy: PO Edwin Espinal spoke obscenely and rudely to § 87(2)(b)	§ 87(2)(b)
C.SGT Kurt Trotman	Force: Sgt. Kurt Trotman used pepper spray against § 87(2)(b)	§ 87(2)(b)
D.POM Edwin Espinal	Force: PO Edwin Espinal used pepper spray against § 87(2)(b)	§ 87(2)(b)
E.SGT Kurt Trotman	Force: Sgt. Kurt Trotman used physical force against § 87(2)(b) and § 87(2)(b)	§ 87(2)(b)

Case Summary

On May 26, 2010, § 87(2)(b) filed the following complaint over the telephone with the CCRB. § 87(2)(b) named herself and her brother, § 87(2)(b) as victims in this complaint.

On May 20, 2010, at approximately 4:40 p.m., at § 87(2)(b) in Brooklyn, § 87(2)(b) was in her yard with her brother, § 87(2)(b). Sgt. Kurt Trotman and his partner, PO Edwin Espinal, approached the gate to the yard and asked whose bike was on the lawn. § 87(2)(b) stated that it was her bike. § 87(2)(b) asked, "Why do you want to know whose bike this is?" Sgt. Trotman and PO Espinal moved to open the gate. § 87(2)(b) yelled, "Excuse me officer, you're not welcome in my gate, what are you doing?" She asked PO Espinal if he had a warrant. PO Espinal stated, "Shut the fuck up and sit down." § 87(2)(b) refused to sit down. § 87(2)(b) then blocked Sgt. Trotman from entering. Sgt. Trotman and PO Espinal pepper sprayed § 87(2)(b) and called for back up. Sgt. Trotman pushed § 87(2)(b) into her plants. § 87(2)(b) got up, dusted herself off, and ran inside her house in order to change. Approximately sixteen police officers responded to the call for back up and entered the yard. The officers stated that they had seen § 87(2)(b) on the bicycle and wanted to question him about it. § 87(2)(b) yelled, "Can you please leave my yard. You're violating me now." An officer yelled, "We're not going nowhere bitch." Sgt. Trotman and PO Espinal pepper sprayed § 87(2)(b) again. Meanwhile, approximately eleven police officers were on § 87(2)(b) attempting to arrest him. § 87(2)(b) held onto the gate refusing to be handcuffed. These officers punched § 87(2)(b) in the face five times. Sgt. Trotman punched § 87(2)(b) three times in the face. § 87(2)(b) sustained an eye injury as a result of this force. § 87(2)(b) did not receive medical treatment for his injury. On July 1, 2010, § 87(2)(b) stated that in addition to the above allegations an officer (male, Hispanic, 5' 6", 190lbs, mustache, 38-40 years-old, dressed in uniform) also pepper sprayed him. Since § 87(2)(b) and § 87(2)(b) did not appear for their interviews to clarify the allegations against the unidentified officers, these allegations were not pleaded.

Telephone calls with messages were left for § 87(2)(b) on June 2, 2010, June 3, 2010, and June 21, 2010. On June 4, 2010, § 87(2)(b) contacted the investigator and scheduled an appointment for June 7, 2010. On June 7, 2010, § 87(2)(b) rescheduled her interview for June 8, 2010. § 87(2)(b) did not appear for this interview or call to cancel. On June 21, 2010, § 87(2)(b) scheduled an interview for June 29, 2010, which she did not attend or call to cancel. On June 21, 2010, § 87(2)(b) provided her brothers telephone number to the investigator. Telephone calls were made to § 87(2)(b) on June 30, 2010, July 1, 2010, and July 8, 2010. On July 1, 2010, § 87(2)(b) scheduled an appointment for July 7, 2010. § 87(2)(b) did not appear for this interview or call to cancel. On July 8, 2010, § 87(2)(b) scheduled an appointment for July 13, 2010, which he also did not attend or call to cancel. As of July 14, 2010, § 87(2)(b) and § 87(2)(b) have not contacted the investigator. § 87(2)(g)

§ 87(2)(b)

§ 87(2)(b)

Team: _____

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Investigator: _____

	Signature	Print	Date
Supervisor:	_____	_____	_____
	Title/Signature	Print	Date
Reviewer:	_____	_____	_____
	Title/Signature	Print	Date
Reviewer:	_____	_____	_____
	Title/Signature	Print	Date